



Paper No. 9

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A PROFESSIONAL ASSOCIATION
2421 N.W. 41ST STREET
SUITE A-1
GAINESVILLE, FL 32606-6669

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APR 11 2001

**OFFICE OF PETITIONS
A/C PATENTS**

In re Application of
Bish, Cantliffe, and Chandler
Application No. 09/172,689
Filed: 14 October, 1998
Attorney Docket No. UF-206X

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:
: DECISION GRANTING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the petition under 37 CFR 1.47(a), filed on 6 May, 1999. The Office apologizes for the delay in responding to the present petition.

The petition is GRANTED.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the statement of petitioners' attorney, David F. Saliwanchik establishes that the inventor was mailed a copy of the application papers but has failed to execute the declaration naming him as a joint inventor along with Daniel J. Cantliffe and Craig K. Chandler as joint inventors. Petitioners have also established that the non-signing joint inventor was sent two additional copies of the declaration, neither of which was properly executed.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

It is noted that the declaration does not properly state the non-signing inventor's address in that "Hill" is misspelled "Haile." A new oath or declaration properly reciting the non-signing inventor's address and signed by the two signing joint inventors on behalf of themselves and the non-signing inventor should be filed when required by the examiner.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the


Application No. 09/172,879

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address given in the in the petition, not the declaration.
Notice of the filing of this application will also be published
in the Official Gazette.

The application is being forwarded to Technology Center 1600 for
further processing

Telephone inquiries concerning this matter may be directed to
Petitions Attorney Douglas I. Wood, at (703)308-6918.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Paper No. **W**

Eric Bryan Bish
2008 New Hill Olive Chapel Road
New Hill, NC 27562

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**OFFICE OF PETITIONS
A/C PATENTS**

In re Application of
Bish et al.

Application No. 09/172,689

Filed: 14 October, 1998

For: Strawberry Transplant Conditioning for Flower Ing Induction

Dear Mr. Bish:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Douglas I. Wood at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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